

IN RE:

MODIFIED CHAPTER 13 PLAN

DATE 3/12/2014

CASE NO. 14-40499

LARRY AND JODY RICK

1. DEBTOR'S PAYMENTS TO TRUSTEE

a. As of the date of the plan, debtor has paid the trustee \$100.00
 b. After the date of this plan, debtor will pay the trustee \$100.00 per month for 35 months beginning April 2014
 for a total of \$3,600.00 The minimum plan length 36 months from the date of the initial plan payment
 unless all allowed claims are paid in a shorter time.

c. The debtor will also pay the trustee: \$0.00
 d. The Debtor will pay the trustee a total of: \$3,600.00 {line 1a + line 1b +line 1c}

2. PAYMENTS BY TRUSTEE The trustee will pay from available funds only creditors for which proofs of claim have been filed. The trustee may collect a fee of up to 10% of plan payments or, \$360.00 {line 1d x .10}

3. ADEQUATE PROTECTION PAYMENTS 1326 (a) (1) C) The trustee will promptly pay from available funds adequate protection payments to creditors holding allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

Creditor	Monthly Payment	Number of Month	TOTAL PAYMENTS
a.			\$0.00
b.			
d. TOTAL			\$0.00

4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES §365 - The debtor assumes the following executory contracts or unexpired leases. Cure provisions, if any, are set forth in # 7

Creditor	Description of Property
a. ALLY	GMC TERRAIN
b.	

5. CLAIMS NOT IN DEFAULT Payments on the following claims are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the to the to the creditors. The creditors will retain their liens. The creditor can continue to invoice the debtor.

Creditor	Description of Property
a. SUPERIOR CHOICE CREDIT UNION	MOBILE HOME
b.	
c.	

6. HOME MORTGAGES IN DEFAULT (sec. 1322(b)(5) and 1322 (e)). The trustee will cure defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens. **All following entries are estimates.** The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of payment:	TOTAL PAYMENTS
a					
b.					
d. TOTAL	\$0.00	\$0.00			\$0.00

7. SECURED CLAIMS IN DEFAULT (§ 1322(b)(3) and (5) and §1322(e)) The trustee will cure defaults on the following claims as set forth below. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any. All following entries are estimates, except for interest rate.

Creditor	Amount of Default	Int. Rate (if applicable)	Payment	Beginning ii Month #	Number of payments	TOTAL PAYMENTS
a.						
b.						
c. other	\$0.00					\$0.00

8. OTHER SECURED CLAIMS SECURED CLAIM AMOUNT IN PLAN CONTROLS [§ 1325(a)(5)] The trustee will pay, on account of the following allowed secured claims, the amount set forth in the "Total Payments" column, below. The creditors will retain liens securing the allowed secured claims until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or the date of the debtor's discharge.

NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. §1327, AND CONFIRMATION OF THE PLAN IS A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM.

Creditor	Amount of Claim	Secured Claim	Intrest Rate	Beginning ii Month #	Monthly x Payments	Number of = Payments	Payments on (Adequate) Account of Claim	Protection from #3	TOTAL PAYMENTS
a.									
c. Total	\$0.00	\$0.00							\$0.00

9. PRIORITY CLAIMS the trustee will pay in full all claims entitled to priority under §507, including the following. The amounts listed are estimates. The trustee will pay the amounts actually allowed.

Creditor	Amount of Claim	Monthly Payment	Month #	Number of payment:	TOTAL PAYMENTS
a. Attorney's fees	\$2,250.00	\$90.00	1	25	\$2,250.00
b.					
f. TOTAL	\$2,250.00				\$2,250.00

10. SEPARATE CLASS OF UNSECURED CREDITORS In addition to the class of unsecured creditors specified in #11, there shall be separate classes of non-priority unsecured creditors described as follows:

The trustee will pay the allowed claims of the following creditors. All entries below are estimates.

Creditor	Interest Rate (if any)	Claim Amount	Payment	Number of Payments	TOTAL PAYMENTS
a.					
c. TOTAL		\$0.00			\$0.00

11. TIMELY FILED UNSECURED CREDITORS The trustee will pay the holders of non-priority unsecured claims for which proofs of claim were timely filed, the balance of all payments received by the trustee and not paid under # 2, 3, 6, 7, 8, 9 and 10 their pro rata share of approximately \$990.00 line 1(d) minus lines 2, 6(d), 7(d) and 8(d), 9 (f) and 10)].

a. The debtor estimates that the total unsecured claims by creditors listed in paragraph 8 are	\$0.00
b. The debtor estimates that the total unsecured claims (excluding those in #8 & #10) are	<u>\$55,158.08</u>
c. Total estimated unsecured claims are	\$ line 11(a) + line 11 (b). <u>\$55,158.08</u>

12. TARDILY FILED UNSECURED CREDITORS All money paid by the debtor to the trustee under #1 but not distributed but not distributed by the trustee under #2,3,6,7,8, 9, 10 or 11 will be paid to the holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

13. OTHER PROVISIONS The trustee may distribute additional sums not expressly provided for herein at the trustee's discretion. Income withholding for on-going child support will continue.
THE CHEVROLET TRAVERSE WILL BE SURRENDERED TO MEMBERS COOP CREDIT UNION.
THE DODGE AVENGER WILL BE SURRENDERED TO MEMBERS COOP CREDIT UNION.

The debtors shall send the Trustee each year during the Chapter 13 Plan copies of their federal and state income tax returns at the time they are filed. The debtors shall also promptly report to the Trustee the receipt of any state and federal tax refunds for the duration of this Chapter 13 case and shall be entitled to retain the first \$2,000 plus any earned income credit (EIC). Any remaining amounts shall be turned over to the Chapter 13 trustee as additional plan payments.

Pursuant to 11 U.S.C. Section 1305, a proof of claim may be filed by any entity that holds a claim against the debtor(s) for taxes that become payable to a governmental unit while the case is pending. The trustee shall only pay 11 U.S.C. Section 1305 claims attributable to the taxable year in which the case concerning such debtor(s) was filed, and only to the extent funds are available.

14. SUMMARY OF PAYMENTS-

Trustee's fee [line 2].....	\$360.00
Home Mortgage Defaults [line 6(d)].....	\$0.00
Claims in defaults [line 7(d)].	\$0.00
Other Secured Claims [line 8(d)].....	\$0.00
Priority claims [line 9f].....	\$2,250.00
Separate Class [line 10(C)].....	\$0.00
Unsecured Creditors [line 11].....	\$990.00
TOTAL [must equal line 1(d)].....	\$3,600.00

ROBERT L KALENDA
919 WEST ST GERMAIN ST STE 2000
ST CLOUD MN 56301
(320)255-8840

SIGNED: /e/ Larry Rick
DEBTOR

SIGNED: /e/ Jody Rick
JOINT DEBTOR

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Larry D. Rick & Jody M. Rick,

Bky.No. 14-40499

Debtors.

Chapter 13 Bankruptcy

NOTICE OF MODIFICATION OF
CHAPTER 13 PLAN BEFORE CONFIRMATION

TO: ALL INTERESTED PARTIES

1. Pursuant to Local Rule 3015-2, the debtors, by their attorney, Robert L. Kalenda, give notice that the court will hold a confirmation hearing on the modified Chapter 13 plan at 10:00 a.m. on April 17, 2014, in Courtroom 8 West, 300 South 4th Street, US Courthouse, Minneapolis, Minnesota.

Dated: 3-21-14

KALENDA LAW OFFICE

By: /e/ Robert L. Kalenda
Robert L. Kalenda
Attorney for Debtors
919 West St. Germain, Suite 2000
St. Cloud, MN 56301
(320) 255-8840
MN Registration #53260

UNSWORN CERTIFICATE OF SERVICE

I, Dana E. Thomsen, declare under penalty of perjury that on March 21, 2014, I mailed copies of the foregoing Amended Chapter 13 Plan, Notice of Modification of Chapter 13 Plan Before Confirmation and Amended Schedules I & J In Re: Larry D. Rick and Jody M. Rick Bky. No. 14-40499 by first class mail postage prepaid to each entity named below at the address stated below for each entity:

Interested Parties on attached service list

Executed on: 3/21/14

Signed: 

Dana E. Thomsen
KALENDA LAW OFFICE
919 West St. Germain, Suite 2000
St. Cloud, MN 56301

LARRY D RICK
26609 545 AVE
GROVE CITY MN 56243

JODY M RICK
26609 545 AVE
GROVE CITY MN 56243

ACMC
101 WILLMAR AVE SW
PO BOX 1318
WILLMAR MN 56201

ALLY BANK
PO BOX 78234
PHOENIX AZ 85062-8234

ALTRU HEALTH SYSTEM
PO BOX 3045
MILWAUKEE WI 53201-3045

BARCLAYCARD CARD SERVICES
PO BOX 13337
PHILADELPHIA PA 19101-3337

CAPITAL ONE BANK
PO BOX 6492
CAROL STREAM IL 60197

JANNAN DILLEY
26609 545TH AVE
GROVE CITY MN 56243

JC PENNEY
PO BOX 965007
ORLANDO FL 32896-5007

MEEKER MEMORIAL HOSPITAL
612 SOUTH SIBLEY AVE
LITCHFIELD MN 55355

MEMBERS COOP CREDIT UNION
149 W HWY 210
PO BOX 452
MCGREGOR MN 55760

MEMEBRS COOP CREDIT UNION
101 14 ST
CLOQUET MN 55720

QVC
P BOX 530905
ATLANTA GA 30353-0905

SAMS CLUB
PO BOX 530942
ATLANTA GA 30353-0942

SUPERIOR CHOICE CREDIT UNION
2817 TOWER AVE
SUPERIOR WI 54880

TARGET
PO BOX 660170
DALLAS TX 75266-0170

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

LARRY D RICK and JODY M RICK

SIGNATURE DECLARATION

Debtor(s).


Case No. 14-40499

- ☐ PETITION, SCHEDULES & STATEMENTS
☐ CHAPTER 13 PLAN
☐ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
☒ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
☒ MODIFIED CHAPTER 13 PLAN
☐ OTHER (Please describe: _____)

I [We], the undersigned debtor(s) or authorized representative of the debtor, ***make the following declarations under penalty of perjury:***

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 3-21-14

X 
Signature of Debtor or Authorized Representative

LARRY D RICK

Printed Name of Debtor or Authorized Representative

X 
Signature of Joint Debtor

JODY M RICK

Printed Name of Joint Debtor